

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

Joseph Angel NORRIS
159 Gelston Ave Apt # B3
Brooklyn, New York 11209

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

Premier Ford Lincoln
5001 Glenwood Road
Brooklyn, New York 11234

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Complaint for Employment
Discrimination

CV 19 - 6204

Case No. _____

(to be filled in by the Clerk's Office) BRODIE, J.

Jury Trial:



Yes



No

BLOOM, M.J.

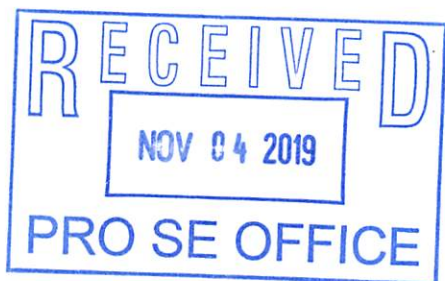
(check one)

Charles Chalom
owner

5001 Glenwood Road
Brooklyn, NY 11234
718 859 5200

Christian Straub
Controller

5001 Glenwood Road
Brooklyn, New York
11234
718 859 5200



I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Joseph Angel NORRIS
Street Address	159 Gelston Ave Apt B3
City and County	Brooklyn
State and Zip Code	New York 11209
Telephone Number	646 529 9612
E-mail Address	Joseph.NORRIS4@MSN.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Charles Chalom
Job or Title (if known)	Owner
Street Address	5001 Glenwood Road
City and County	Brooklyn, NY 11234
State and Zip Code	New York 11234
Telephone Number	718 859 5200
E-mail Address (if known)	

Defendant No. 2

Name	Christina Straub
Job or Title (if known)	Controller
Street Address	5001 Glenwood Road
City and County	Brooklyn, New York 11234

State and Zip Code

New York 11235

Telephone Number

718 859 5200

E-mail Address

(if known)

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is:

Name

Premier Ford Lincoln

Street Address

5001 Glenwood Road

City and County

Brooklyn

State and Zip Code

New York 11234

Telephone Number

718 859 5200

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to (check all that apply):



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)



Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

☐ Other federal law (*specify the federal law*):

☐ Relevant state law (*specify, if known*):

☐ Relevant city or county law (*specify, if known*):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes (*check all that apply*):

- ☐ Failure to hire me.
- ☒ Termination of my employment.
- ☐ Failure to promote me.
- ☐ Failure to accommodate my disability.
- ☒ Unequal terms and conditions of my employment.
- ☐ Retaliation.

☐ Other acts (*specify*):

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)

Sep. 26. 2018

C. I believe that defendant(s) (*check one*):

- ☒ is/are still committing these acts against me.
☐ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my (*check all that apply and explain*):

- ☒ race _____
☐ color _____
☐ gender/sex _____
☐ religion _____
☐ national origin _____
☐ age. My year of birth is _____. (*Give your year of birth only if you are asserting a claim of age discrimination.*)
☐ disability or perceived disability (*specify disability*)

E. The facts of my case are as follows. Attach additional pages if needed.

I have Recording from my fellow worker
with there premission to Be Recorded
Time stamp pictures to show the truth
harassment by Richard Spinelly
I was treated differently
because of my race
if you are white
you are not held to the same standards
if you are white a lie is the truth
and the truth is a lie

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
New York District Office

33 Whitehall Street, 5th Floor
New York, NY 10004-2112
For General Information: (800) 669-4000
TTY: (800)-669-6820
District Office: (212) 336-3620
General FAX: (212) 336-3625

September 10, 2018

Joseph A. Norris, Sr.
159 Gelston Ave
Apt # B3
Brooklyn, NY 11209

Re: *Joseph A. Norris, Sr. v. Premier Ford*
EEOC Charge No. 520-2018-04646

Dear Charging Party:

This charge is being transferred from the EEOC's ADR Unit to the New York State Division of Human Rights. The ADR Unit will no longer have access to this file.

The above referenced charge has been transferred to the address below.

New York State Division of Human Rights
One Fordham Plaza, Fourth Floor
Bronx, New York 10458

We thank you in advance for your patience and cooperation. You will be contacted by the New York State Division of Human Rights once any next steps occur.

Sincerely,

ADR Unit

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Joseph Norris**
159 Gelston Avenue
Apt# B3
Brooklyn, NY 11209

From: **New York District Office**
33 Whitehall Street
5th Floor
New York, NY 10004



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

16G-2019-01784

Holly M. Shabazz,
State & Local Program Manager

(212) 336-3643**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)


- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



Kevin J. Berry,
District Director

August 23, 2019

(Date Mailed)

Enclosures(s)

cc:

PREMIER FORD LINCOLN MERCURY INC
Attn: Director of Human Resources
5001 Glenwood Road
Brooklyn, NY 11234

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC </div> <div style="text-align: right;"> 520-2018-04646 </div> </div>	
New York State Division Of Human Rights and EEOC <i>State or local Agency, if any</i>			
Name (Indicate Mr., Ms., Mrs.) Mr. Joseph A. Norris, Sr.		Home Phone (Incl. Area Code) (718) 333-5125	Date of Birth
Street Address City, State and ZIP Code 159 GELSTON AVE APY#B3, Brooklyn, NY 11209			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name PREMIER FORD		No. Employees, Members Unknown	Phone No. (Include Area Code) (718) 253-4111
Street Address City, State and ZIP Code 5001 GELWOOD RD, Brooklyn, NY 11234			
Name		No. Employees, Members	Phone No. (Include Area Code)
Street Address		City, State and ZIP Code	
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> EQUAL EMPLOYMENT OPPORTUNITY COMMISSION NEW YORK DISTRICT OFFICE JUL 26 2018 DATE RECEIVED </div>			
DISCRIMINATION BASED ON (Check appropriate box(es).) <div style="display: flex; flex-wrap: wrap;"> <div style="margin-right: 10px;"><input type="checkbox"/> RACE</div> <div style="margin-right: 10px;"><input type="checkbox"/> COLOR</div> <div style="margin-right: 10px;"><input type="checkbox"/> SEX</div> <div style="margin-right: 10px;"><input type="checkbox"/> RELIGION</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> NATIONAL ORIGIN</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> RETALIATION</div> <div style="margin-right: 10px;"><input type="checkbox"/> AGE</div> <div style="margin-right: 10px;"><input type="checkbox"/> DISABILITY</div> <div style="margin-right: 10px;"><input type="checkbox"/> GENETIC INFORMATION</div> <div style="margin-right: 10px;"><input type="checkbox"/> OTHER (Specify)</div> </div>		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 3/1/2018 3/1/2018 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <p>I am working at Premier Ford and have done so for the past 16 years. Recently, I have been the victim of national origin (Hispanic) bias when harassed in violation of Title VII of the Civil Rights Act of 1964, as amended.</p> <p>The unlawful harassment took the form of disparate discipline. I was accused of surveilling other workers with a "body camera" in a letter dated October 26, 2017, by union attorney Jeremy Meyer. No member of management had the decency to come to me to ask about the situation. Instead, I was falsely accused. I was not using a camera or anything else to record workers. Back on March 8 2017, a white employee, Christopher Blake was actually using his cell phone to record audio recording of other workers and he received no letter from the union's attorneys or any disciplinary action. In retaliation for complaining of racial bias, I was transferred on March 2018, to another dealership (Premier Ford of Bay Ridge). I worked at Premier Ford Lincoln Mercury, Inc.</p>			

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTARY - When necessary for State and Local Agency Requirements <div style="text-align: center; font-size: 1.5em;">X</div>
I declare under penalty of perjury that the above is true and correct.	I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT
<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> 7/26/2018 Date </div> <div style="text-align: center;"> Charging Party Signature </div> </div>	SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)

IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on *(date)*

- B. The Equal Employment Opportunity Commission *(check one)*:

- ☐ has not issued a Notice of Right to Sue letter.
☒ issued a Notice of Right to Sue letter, which I received on *(date)*.

August 23, 2019

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct *(check one)*:

- ☒ 60 days or more have elapsed.
☐ less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Serivance pay 78.000

Medical Expenses 49.000

Lost wages 10.000

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: Nov 4, 2019

Signature of Plaintiff

Printed Name of Plaintiff

Joseph A. Norris
Joseph Angel NORRIS